IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE R.BASANT

MONDAY, THE 26TH NOVEMBER 2007 / 5TH AGRAHAYANA 1929

Bail Appl..No. 7213 of 2007()

CRMP.4123/2007 of J.M.F.C.-II,PALAKKAD
CRIME NO.312/2007 OF TOWN NORTH POLICE STATION, PALAKKAD

.....

: PETITIONER/ACCUSEDIN CUSTODY

RAJAN, S/O VELAYUDHAN,
MARAKKAR COLONY, PADINJARE KALAM,
ODHUNGODE, PALAKKAD.

BY ADV. SRI.N.RAGHURAJ
SMT.K.AMMINIKUTTY

RESPONDENTS: COMPLAINANT

STATE OF KERALA, REPRESENTED BY THE
PUBLIC PROSECUTOR, HIGH COURT OF KERALA,ERNAKULAM.

BY PUBLIC PROSECUTOR SRI.JAI GEORGE

THIS BAIL APPLICATION HAVING COME UP FOR ADMISSION ON 26/11/2007, THE COURT ON THE SAME DAY PASSED THE FOLLOWING:

R.BASANT, J.

B.A.No.7213 of 2007

Dated this the 26th day of November 2007

O R D E R

Application for regular bail. The petitioner faces allegations under Section 308 I.P.C. The alleged incident took place on 11/11/2007. The petitioner was taken into custody on that day and produced before the learned Magistrate on 12/11/2007. He continues in custody from that date. Injury is suffered on the neck. It is an incise wound about 10 cm long. It was allegedly inflicted by the petitioner, a barber using barber's knife which is available in his shop. Personal animosity is the alleged motive. Investigation is in progress.

2. The learned counsel for the petitioner submits that the petitioner is innocent and on any circumstances the petitioner does not deserve to continue in custody any longer.

3. The learned Public Prosecutor does not oppose the application. The learned Public Prosecutor only submits that the investigating officer may be given some further time to complete the investigation. Appropriate conditions may also be imposed, it is prayed.

4. I am satisfied, in these circumstances, that the petitioner can be granted regular bail subject to appropriate terms and conditions.

5. In the result, this petition is allowed. The petitioner shall be released on bail on the following terms and conditions:

i) The petitioner shall not be released on bail on the strength of this order prior to 03/12/2007. The investigating officer shall, in the meantime, make every endeavour to complete the investigation.

ii) He shall execute a bond for Rs.50,000/- (Rupees fifty thousand only) with two solvent sureties each for the like sum to the satisfaction of the learned Magistrate.

iii) The petitioner shall make himself available for interrogation before the investigating officer between 10 a.m and 12 noon on all Mondays and Fridays, for a period of two months from the date of his release and thereafter as and when directed by the investigating officer in writing to do so.

iv) During the said period of two months, the petitioner shall not enter the jurisdiction of the Town North police station, Palakkad without the prior permission of the learned Magistrate except for the purpose of complying with condition No.iii) above.

(R.BASANT, JUDGE)

jsr

R.BASANT, J.

CRL.M.CNo.

ORDER

21ST DAY OF MAY2007